IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

MONDAY THE TWENTY THIRD DAY OF AUGUST TWO THOUSAND AND FOUR

: PRESENT :

THE HON'BLE MR.JUSTICE: **T.CH.SURYA RAO**

CRIMINAL PETITION No.3710 of 2004

Between:

1. Mohammed Vikar Ahmed
2. Smt. Fazlunnisa
3. Md. Jeelani
4. Smt. Nurjahan.

Petitioners

(Accused in Cr.No.248/2004 of Penamaluru Police Station)

AND

1. The State, S.I. of Police L & G, Penamaluru Police Station, Vijayawada Rural, Krishna District.
2. State, rep. by its Public Prosecutor. .

Respondents/

Complainants

Petition under Section 438 of Crl.P.C. praying that in the circumstances stated therewith, the High Court will be pleased to pass orders directing the respondent/police Penamaluru P.S. that in the event of arrest of the petitioners/accused in Cr.No.248/2004 dt. 10-6-2004 for the alleged offence U/s. 498-A, they may be enlarged on bail forthwith in the interests of justice and equity.

The Petition coming on for hearing upon perusing the petition and Grounds filed herein, and upon hearing the arguments of Mr. T.Ravi Kumar, Advocate for the Petitioners and of the Public Prosecutor on behalf of the Respondent No.2.

The Court made the following **ORDER:**

" The Petitioners, who are A-1 to A-4 in the crime, seek anticipatory bail in connection with the crime that has been registered against them under Section 498-A of the Indian Penal Code.

The first petitioner is the husband. The petitioners 2,3 and 4 are the mother-in-law, Sister-in-law and Brother-in-law of the defacto Complainant who lodged the report. It appears that the main allegation centers round the first petitioner/husband. In that view of the matter, the request of the petitioners ,2,3 and 4 may be considered for anticipatory bail.

In the result, the Criminal Petition is allowed in part and the petitioners 2 to 4 herein shall be enlarged on bail in the event of their arrest on each one of them executing a bond for Rs. 5,000/- (Rupees five thousand) with two sureties for a likesum each to the satisfaction of the Station House Officer, Penamaluru P.S., in Krishna District.

The Criminal Petition insofar as the first petitioner herein is concerned, is dismissed. However, if he is so advised, he can surrender before the court below and seek bail in which event it is for that court to consider the same, having regard to the fact that he is an employee of APSRTC, by passing appropriate orders."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Sessions Judge, Mahila Court, Vijayawada, Krishna District.

2. The SHO, Penamaluru Police Station, Krishna District.
3. The State, S.I. of Police L & G, Penamaluru Police Station, Vijayawada Rural, Krishna District.
4. Two CCs to the Public Prosecutor, High Court of A.P.Hyd(OUT)
5. One CC to Mr. T.Ravi Kumar, Advocate (OPUC)
6. One spare copy.

SAH